

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PEDIGO PRODUCTS, INC., a Washington corporation, and OR SPECIFIC, a Florida corporation,

Plaintiff,

v.

KIMBERLY-CLARK WORLDWIDE, INC., a Delaware corporation,

Defendant.

Case No. CV12-5502BHS

MINUTE ORDER SETTING JURY TRIAL AND PRETRIAL DATES

Now, on this 16th day of January, 2013, the Court directs the Clerk to enter the following Minute Order:

I. TRIAL, PRETRIAL, AND MEDIATION DATES

5-Day Jury TRIAL set for	March 11, 2014
Claim Construction Hearing set for 1:30 PM on	August 26, 2013
Rule 120 Disclosure of Asserted Infringement Claims and Contentions	January 31, 2013
Deadline for FILING of any motion to join parties	February 14, 2013
Deadline for amending pleadings	February 23, 2013
Rule 121 Disclosure of Preliminary Non-Infringement and Invalidity Contentions	March 2, 2013
Rule 130(a) Exchange of Proposed Terms for Construction	March 22, 2013
Rule 131(a) Preliminary Claim Construction	April 21, 2013
Rule 132(a) Joint Claim Construction Statement and 132(f) Expert Disclosures	June 10, 2013
Rule 133 Completion of Claim Construction Discovery	July 15, 2013
Rule 134(a) Opening Claim Construction Brief Due (24-page limit)	July 28, 2013
Rule 134(c) Responsive Claim Construction Briefs Due (24-page limit)	August 12, 2013
Disclosure of expert testimony under Fed. R. Civ. P. 26(a)(2)	September 23, 2013

Disclosure of rebuttal expert testimony under Fed. R. Civ. P. 26(a)(2)	October 22, 2013
All motions related to discovery must be FILED by	October 29, 2013
Discovery COMPLETED by	November 21, 2013
All dispositive motions must be FILED by	December 11, 2013
Motions in limine should be FILED by and NOTED on the motion calendar no later than the second Friday thereafter.	February 11, 2014
Agreed pretrial order FILED with the Court by	February 27, 2014
Pretrial conference will be HELD at 11:00 AM in courtroom E	February 24, 2014
Trial briefs, proposed voir dire, and jury instructions due	February 20, 2014

II. JURY INSTRUCTIONS

A Manual of Model Civil Jury Instructions For the Ninth Circuit (latest edition) should be used as the format for proposed jury instructions. *See* www.wawd.uscourts.gov and Local Rule CR 51.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Proposed findings of fact and conclusions of law need not be submitted unless specifically requested by the Judge.

IV. PRIVACY POLICY

Pursuant to the General Order of the Court regarding Public Access to Electronic Case Files (filed 5/29/03), parties are to redact the following information from documents and exhibits before they are filed with the court:

- * Dates of Birth - redact to the year of birth
- * Names of Minor Children - redact to the initials
- * Social Security Numbers - redact to the last four digits
- * Financial Accounting Information - redact to the last four digits

The General Order was issued pursuant to the official policy on privacy adopted by the Judicial Conference of the United States and can be found on the court's website at

<http://www.wawd.uscourts.gov/docs>. All documents filed in the above-captioned matter must comply with the Privacy Policy and the General Order.

V. COOPERATION

As required by CR 37(a), all discovery matters are to be resolved by agreement if possible. Counsel are further directed to cooperate in preparing the Joint Claim Chart and final pretrial order in the format required by CR 16.1, except as ordered below.

VII. MEDIATION

The Court finds this case is appropriate for mediation under Local Rule 39.1. The parties are directed to conduct mediation upon completion of discovery as hereinafter provided.

IT IS ORDERED that the parties exchange written offers for settlement and that counsel meet and discuss settlement within six months of this Order.

VIII. EXHIBITS

The original and one copy of any exhibits to be used at the Claim Construction Hearing and/or trial are to be delivered to chambers five days before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the Clerk's Office. Duplicate documents shall not be listed twice; once a party has identified an exhibit in the pretrial order, any party may use it. Each set of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

IX. SETTLEMENT

If this case is settled, please advise the Court immediately at (253) 882-3850.

The foregoing Minute Order was authorized by THE HONORABLE BENJAMIN H. SETTLE,
UNITED STATES DISTRICT JUDGE.

/s/ Gretchen Craft
Gretchen Craft, Courtroom Deputy